

POSTED 4/5/2010  
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<p>AGENDA VERNON TOWN COUNCIL <b>REGULAR MEETING</b> TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor VERNON, CONNECTICUT</p> <p>TUESDAY, APRIL 6, 2010 7:00 P.M.</p>	<p>RECEIVED VERNON TOWN CLERK 10 APR -5 AM 10:10</p>
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A.) PLEDGE OF ALLEGIANCE

B.) ROLL CALL

C.) CITIZENS FORUM

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D.) PUBLIC HEARINGS

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E.) PRESENTATIONS BY THE ADMINISTRATION

1. DECLARE APRIL AS "2010 FAIR HOUSING MONTH".
2. Mayor Jason L. McCoy to discuss various topics and items of interest with the Town Council.

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F.) ACTION ON CONSENT AGENDA

- C 1. Request for Tax Refunds for the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated March 29, 2010 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES THREE (3) TAX REFUND IN THE AMOUNT OF \$165.83 FOR PRIOR YEAR AND SIX (6) REFUNDS TOTTALLING \$ 573.36, FOR TAX REFUNDS FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED MARCH 29, 2010.

- C 2. Request the Town Council schedule a Public Hearing on April 20, 2010 to discuss and receive comment regarding the FY 2010 Community and Block Development Grant (CBDG) program application.**

**PROPOSED MOTION:**

THE TOWN COUNCIL, PER THE REQUIREMENTS FOR CDBG FUNDING, HEREBY SCHEDULES A PUBLIC HEARING TO DISCUSS AND RECEIVE PUBLIC COMMENT REGARDING THE **FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**, SAID HEARING TO TAKE PLACE AT 7:05 PM ON TUESDAY, APRIL 20, 2010 IN THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT.

- C 3. Request the Town Council approve an appropriation for funding the treatment of variable-leaf milfoil and fanwort milfoil at Walker's Reservoir and Valley Falls.** (Please see the enclosed memoranda from Peter Graczykowski, Assistant Town Administrator, dated March 29, 2010; Bruce Dinnie, Parks and Recreation Director dated March 26, 2010; a report from Dr. George W. Knoecklein, Ph.D., of Northeast Aquatic Research, dated January 14, 2010 and from the Vernon Conservation Commission, dated March 23, 2010.)

**PROPOSED MOTION #1:**

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$3,350.00 TO ACCOUNT 10560254-54390 FOR PARKS AND RECREATION, TO COVER THE 2010 AQUATIC MANAGEMENT PROGRAM AT VALLEY FALLS POND.

**PROPOSED MOTION #2:**

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$13,275.00 TO ACCOUNT 10560254-54390 FOR PARKS AND RECREATION, TO COVER THE 2010 AQUATIC MANAGEMENT PROGRAM FOR WALKER'S RESERVOIR.

- C 4. Request the Town Council approve the bid waiver for the Vernon Department of Public Works for the purchase of a 2011 Ford F250 W/8' Plow pick up truck from Ray Seraphin Ford.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated March 30, 2010 is included for Council's review.)

**PROPOSED RESOLUTION:**

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN TO INVITE SEALED BIDS FOR THE PURCHASE OF A PICK-UP TRUCK 2011 FORD F250 W/8' PLOW AND HEREBY WAIVES THE BID PROCEDURE AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE OF THE PICKUP TRUCK FROM NAME OF RAY SERAPHIN FORD, 100 WINDSOR AVENUE, ROCKVILLE, CT, FOR AN AMOUNT NOT TO EXCEED \$27,700.

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT #14 FOR FISCAL YEAR 2009-2010, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY JAMES LUDDECKE, FINANCE OFFICER.

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G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

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H.) PENDING BUSINESS

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I.) NEW BUSINESS

1. **Request the Town Council adopt the attached Annual Town of Vernon Affirmative Action Policy statement required by DECD and the Small Cities Grant Program.** (A copy of the Affirmative Action Policy is included for Council review)

**PROPOSED RESOLUTION:**

THE TOWN COUNCIL OF THE TOWN OF VERNON HEREBY ADOPTS THE "TOWN OF VERNON AFFIRMATIVE ACTION POLICY STATEMENT" AND HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THIS DOCUMENT, DESIGNATING JOHN D. WARD, TOWN ADMINISTRATOR, AS THE TOWN'S AFFIRMATIVE ACTION OFFICER.

2. **Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the following policies for the Town of Vernon during April, 2010 Fair Housing Month.** (Copies of the Fair Housing Resolution; Fair Housing Policy Statement and the Title VI Compliance Statement, ADA NOTICE, and the ADA Grievance Procedure are included as part of this agenda document for your review.)

**PROPOSED RESOLUTION #1**

THE TOWN COUNCIL HEREBY WAIVES THE READING AND ADOPTS THE TOWN OF VERNON FAIR HOUSING RESOLUTION PROVIDED BELOW AND AUTHORIZES JOHN WARD, TOWN ADMINISTRATOR, AND FAIR HOUSING OFFICER TO SIGN ON BEHALF OF THE TOWN OF VERNON. SAID FAIR HOUSING RESOLUTION IS A REQUIREMENT OF THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

**TOWN OF VERNON  
FAIR HOUSING RESOLUTION**

- Whereas,** All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and
- Whereas,** State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation , familial status, be given equal access to rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and
- Whereas,** The **Town of Vernon** is committed to upholding these laws, and realizes that those laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

**NOW THEREFORE, BE IT RESOLVED,** That the **Town of Vernon** hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis: and **BE IT FURTHER RESOLVED,** That the Town Administrator of the Town of Vernon or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practices in the Town of Vernon.

**PROPOSED MOTION #1**

THE TOWN COUNCIL HEREBY WAIVES THE READING AND ADOPTS THE FAIR HOUSING POLICY STATEMENT LISTED BELOW AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR, AND FAIR HOUSING OFFICER TO SIGN ON BEHALF OF THE TOWN OF VERNON. SAID POLICY STATEMENT IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

**TOWN OF VERNON  
FAIR HOUSING POLICY STATEMENT**

It is the policy of the Town of Vernon to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by the Town of Vernon must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of Vernon or any Sub recipient of the Town will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Vernon.

The municipality's Mayors Office is responsible for the enforcement and implementation of this policy. The Mayor may be reached at 860-870-3600.

Complaints pertaining to discrimination in any program funded or administered by the Town of Vernon may be filed with the Town Administrator John D. Ward at 860-870-3665.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403.

A copy of this policy statement will be given annually to all Town employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town.

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THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting B. Peter Hobbs, ADA Officer, 860-870-3650.

**PROPOSED MOTION #2**

THE TOWN COUNCIL HEREBY WAIVES THE READING AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR AND FAIR HOUSING OFFICER TO SIGN THE BELOW STATED TITLE VI DOCUMENT DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

**TOWN OF VERNON**  
**COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

The **Town of Vernon** does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The **Town of Vernon** seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VI provides that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the Town's Fair Housing Plan and is fully implemented to ensure compliance by the Town, as the recipient, and by subrecipients. The cooperation of all Town personnel is required.

**PROPOSED MOTION #3**

THE TOWN COUNCIL HEREBY WAIVES THE READING AND RE-ADOPTS THE ADA NOTICE AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR AND FAIR HOUSING OFFICER TO SIGN THE BELOW STATED ADA NOTICE DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

**TOWN OF VERNON  
ADA NOTICE**

**The Town of Vernon** does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities. **The Town of Vernon** does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the **Town of Vernon's** designated ADA Compliance Coordinator.

**Name:** B. Peter Hobbs  
**Title:** Building Official  
**Address:** 55 West Main Street, Vernon, CT 06066  
**Phone:** (860)870-3650 x 3650 **Fax:** (860) 870-3589  
**Days/Hours Available:** Mon. - Wed. 8:30 am to 4:30 pm  
Thurs. 8:30 am – 7:00 pm  
Fri. 8:30 am – 1:00 pm

Individuals who need auxiliary aids for effective communication in programs and services of the Town of Vernon are invited to make their needs and preferences known to the ADA Compliance Coordinator. This notice is available upon request in large print, on audio tape and in Braille, from the ADA Compliance Coordinator.

\_\_\_\_\_ Date

\_\_\_\_\_ John D. Ward, Town Administrator

**PROPOSED MOTION #4**

THE TOWN COUNCIL HEREBY WAIVES THE READING AND RE-ADOPTS THE ADA MUNICIPAL GRIEVANCE PROCEDURE NOTICE AND AUTHORIZES JASON L. MCCOY, MAYOR TO SIGN THE BELOW STATED ADA MUNICIPAL GRIEVANCE PROCEDURE NOTICE DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

**Town of Vernon**  
**ADA MUNICIPAL GRIEVANCE PROCEDURE**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the **Town of Vernon**.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

B. Peter Hobbs, Building Official  
 (860) 870-3650  
 55 West Main Street, Vernon CT 06066

Within 15 calendar days after receipt of the complaint, B. Peter Hobbs will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, B. Peter Hobbs will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of B. Peter Hobbs and offer options for substantive resolution of the complaint.

If the response by B. Peter Hobbs does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the **Mayor** or his or her designee.

Within 15 calendar days after receipt of the appeal, the **Mayor** or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the **Mayor** or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Town of Vernon, appeals to the **Mayor** or his or her designee, and responses from the ADA coordinator and Mayor or his or her designee will be kept by the Town of Vernon for at least three years.

\_\_\_\_\_  
 Mr. Jason L. McCoy,  
 Mayor

\_\_\_\_\_  
 Date

3. **Request the Town Council accept the Warranty Deed from Jose D. Correia for "Site Development Plan Correia Way Trout Stream Drive, Vernon, Connecticut" and authorize the conveyance of said property to the Town of Vernon.** (A memorandum dated March 8, 2010 from John D. Ward, Town Administrator to Mayor McCoy and the Vernon Town Council; memorandum from Len Tundermann, Town Planner dated November 13, 2009 and a letter from Harold R. Cummings, Town Attorney dated October 9, 2009 are included for Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM JOSE D. CORREIA FOR 477,236 SQUARE FEET OR APPROXIMATELY 10.96 ACRES OF OPEN SPACE, DESCRIBED AS "SITE DEVELOPMENT PLAN CORREIA WAY TROUT STREAM DRIVE, VERNON, CONNECTICUT, MAP 20 BLK 18 LOT 4V & 4AAA ZONE: R-27 & AQUIFER PROTECTION AREA" TO BE CONVEYED TO THE TOWN OF VERNON.

4. **Discussion requested by Councilman Mark Etre with the Town of Vernon Zoning Enforcement Officer Abraham Ford and the Town Planner Len Tundermann regarding the development of the Carriage House at One Ellington Avenue.**
  
5. **Discussion requested by Deputy Mayor Brian Motola regarding proposed utilization of the Kindergarten Building by the Vernon Community Arts Center. Committee members will be present for discussion and presentation.**

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J.) INTRODUCTION OF ORDINANCES

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K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

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L.) DISCUSSION OF ADDITIONAL AGENDA ITEMS, PULLED CONSENT ITEMS FROM F) AND PULLED ITEMS FROM O) INFORMATIONAL ITEMS, ETC

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M.) ADOPTION OF MINUTES

**THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MARCH 16, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.**

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N.) EXECUTIVE SESSION

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O.) INFORMATIONAL ITEMS, PETITIONS, COMMUNICATIONS, CORRESPONDENCE, REPORTS, ETC. NOT REQUIRING ACTION

1. A memorandum dated March 3, 2010 from John Leary, Chairman, PMBC relative to the Annual Inspection of Rockville High School.
2. Updated Appointed/Elected Officials List dated March 17, 2010.
3. Police Department Monthly Report, February, 2010 as submitted by Captain Stephen Clark.